

Georgia Department of Human Resources

OFFICE OF REGULATORY SERVICES

The Office of Regulatory Services (ORS) inspects, monitors, licenses, registers, and certifies a variety of health and child care facilities. It also administers programs that receive and investigate complaints about such facilities. It works to ensure that facilities and programs operate at acceptable levels, as mandated by state statutes and by rules and regulations adopted by the Board of Human Resources. ORS also certifies various health care facilities to receive Medicaid and Medicare funds, through contracts and agreements with the Georgia Department of Community Health and the Center for Medicare and Medicaid Services and Food and Drug Administration of the U.S Department of Health and Human Services. These activities are carried out by a staff of 296.

The office's adjusted budget appropriation for FY 2002 was \$16.5 million, including \$10.3 million in state funds. For FY 2003 the budget is \$17.2 million, including \$10.5 million in state funds.

Child care programs

ORS inspects and licenses 1,675 day care centers, 248 group day care homes, 200 residential care facilities and 49 private adoption agencies. Some residential care facilities are also certified by ORS to care for severely emotionally disturbed children. The office also registers 5,584 family day care homes (private residences that provide care for three to six children) and monitors 3,753 informal family day care homes providing subsidized child care to mothers who are moving from welfare to work. In FY 2002, ORS sanctioned 85 child care facilities for noncompliance with regulations, and 14 unregulated, unlicensed facilities were ordered to close.

Day care facilities approved to participate in the Pre-K program are licensed by the Office of School Readiness.

Health care and long-term care

ORS regulates acute, long-term, and outpatient care facilities. These include 378 nursing homes; 1,677 personal care homes; 13 intermediate care facilities for people with mental retardation; 162 hospitals; 6 intensive residential treatment facilities for youth; 99 home health agencies; 122 outpatient physical therapy centers; 11 comprehensive outpatient rehabilitation facilities; 203 end stage renal disease centers; 102 rural health clinics; 12 health maintenance organizations; 5 traumatic brain injury facilities; 243 drug abuse treatment facilities; 96 hospices; 186 ambulatory surgical treatment centers; 1 eye bank; 1 birthing center; 1 infirmary; 29 hospitals designated as emergency receiving, evaluation, and treatment facilities; 5 maternity homes; 6,212 registered X-ray facilities; 256 mammography facilities; 524 state-licensed clinical laboratories; 454 inspections of federally certified laboratories; and 465 private home care providers. Most of the regulated health care and long-term care facilities are certified by ORS for reimbursement under the Medicare and Medicaid programs.

In FY 2002, ORS performed 26,523 criminal record checks and kept a registry of 70,742 active certified nurse's aides who are eligible to work in long-term care facilities.

In FY 2002, ORS took 236 adverse actions against all regulated facilities for noncompliance. In addition, ORS recommended that the Center for Medicare and Medicaid Services (CMS) or the Department of Community Health, Division of Medical Assistance impose 220 sanctions on nursing homes based on findings of noncompliance with federal requirements.

Trends

Many changes are occurring in the industries that ORS regulates. In addition, the public wants **more information** to help them choose facilities and services, and they are more willing to make complaints than in the past. To help meet the rapidly increasing demand for more information and more timely responses, ORS is moving toward making information about facilities available on the Internet. Currently, the ORS web page offers information about the types of facilities it licenses and rules and regulations for licensed facilities. Publications can also be purchased through the web page (www.state.ga.us/departments/dhr/ors).

Welfare reform efforts and the booming economy have created a need for more and better quality **child care**. The office is issuing more licenses for day care centers and receiving more inquiries about opening all kinds of child care services. ORS is also helping more applicants to understand the regulations and other aspects of child care, which should improve compliance and raise the quality of care. ORS has also developed voluntary quality standards above the basic licensing requirements, based on new research about how children develop, in order to better prepare them for school.

Rapid changes in the way care is delivered continue to affect the way **health care** facilities are regulated. Rules must be revised and regulatory philosophy must adapt to these changes.

Federal regulations now require ORS to collect health assessments of **nursing home** residents and patients of **home health agencies** in an electronic format for submission to federal regulators. This database will eventually allow compliance monitoring that will be based in part on how well care is provided. These assessments will become particularly important in light of the federal initiative to improve nursing home care. The survey process will change and enforcement efforts will increase.

A growth in the use of **personal care homes** and agencies that provide **long term care in a person's home** will also require more regulatory activity. Discussions will continue that could result in legislation establishing a new type of regulated facility providing a level of care which falls between a nursing home and personal care home.